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PTO/SB/64/(6-95)

I hereby certify that this correspondence is being transmitted via facsimile to Examiner S. Houtteman (703 308 2742), at the U.S. Patent and Trademark Office on: February 20, 2001.

Signed: Sarah M. Barnatt

Sarah M. Barnatt

PATENT

Customer Number 22,852

Attorney Docket No. 4121.0116-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Holly HOGREFE et al.

Serial No.: 08/957,709

Filed: October 24, 1997

For: POLYMERASE ENHANCING  
FACTOR (PEF) EXTRACTS, PEF  
PROTEIN COMPLEXES,  
ISOLATED PEF PROTEINS, AND  
METHODS FOR PURIFYING AND  
IDENTIFYING THEM

ATTN: Office of Petitions

Group Art Unit: 1655

Examiner: S. Houtteman

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OCT 16 2001

Assistant Commissioner for Patents  
Box DAC  
Washington, DC 20231

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY  
UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file an Appeal Brief. A Notice of Appeal with a Petition for Extension of Time for three months was filed on May 23, 2000 in response to the Office action mailed on November 23, 1999, which set a three month period for response. A Response under 37 CFR §1.116 with a

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Petition for Extension of Time for one month was filed on August 16, 2000 by Certificate of Mailing. No Advisory Action was issued by the Office. The abandonment date of this application is August 24, 2000. Applicants' representative became aware that this application had been unintentionally abandoned during a telephone conference with Examiner Scott Houtteman on the evening of Friday, February 16, 2001.

Applicant hereby petitions for revival of this application.

1. Petition fee

- ☒ Small entity - fee \$620.00 (37 CFR 1.17(m))  
☐ Small entity statement enclosed herewith.  
☒ Small entity statement previously filed.

2. Proposed response and/or fee

A Request for Continuing Examination (RCE) is enclosed herewith.

The issue fee of \$[Fee]

- ☐ has been filed previously on [Date].  
☐ is enclosed herewith.

3. Verified statement

The entire delay in filing the required reply, from the due date for the reply until the filing of a grantable petition under 37 CFR § 1.137(b), was unintentional.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an

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extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 20, 2001

By: John W. Burns  
John W. Burns  
Reg. No. 43,520